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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,161	08/29/2001	David Glazer	1050390-991111	6819
28765	7590	07/27/2006	EXAMINER	
WINSTON & STRAWN LLP 1700 K STREET, N.W. WASHINGTON, DC 20006			PAULA, CESAR B	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/942,161

Applicant(s)

GLAZER ET AL.

Examiner

CESAR B. PAULA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43, 45, 47, 49-55, 60, and 62-71 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4, 10, 12-18, 23, 25, 26, 28, 30-36, 41, 43, 45, 47, 49-55, 60 and 62-71 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to the amendment filed on 1/13/2006.

**This action is made Final.**

2. In the amendment, claims 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43, 45, 47, 49-55, 60, and 62-71 are pending in the case. Claims 63-65 are independent claims.

3. The rejections of claims 4, 12-18, 23, 25, 26, 30-36, 41, 43, 45, 49-55, 60, and 62-71 rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al, hereinafter Ludwig (Pat.# 5,689,641, 11/18/97), and further in view of Goodkovsky (US Pat.# 6,807,535 B2, 10/19/2004, provisional application filed on 3/8/2000) have been withdrawn as necessitated by the amendment.

4. The rejections of claims 10, 28, and 47 rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig, over Goodkovsky as applied to claim 63, and further in view of Bowman-Ammuah, hereinafter Bowman (US Pat.# 6,640,238 B1, 10/28/2003, filed on 8/31/1999) have been withdrawn as necessitated by the amendment.

***Priority***

5. Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 119(e), and based on U.S. provisional application # 60/228,853 filed on 8/29/2000, which papers have been placed of record in the file.

***Drawings***

6. The drawings filed on 8/29/2001 have been approved by the examiner.

***Claim Objections***

7. The objections to claims 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43, 45, 47, 49-55, 60, and 62-71, have been withdrawn as necessitated by the amendment.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 12-18, 23, 25, 26, 30-36, 41, 43, 45, 49-55, 60, and 62-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al, hereinafter Ludwig (Pat.# 5,689,641, 11/18/97); and further in view of Goodkovsky (US Pat.# 6,807,535 B2, 10/19/2004, provisional application filed on 3/8/2000), and further in view of "Getting Results with Microsoft Office 97", hereinafter Office, Microsoft 1997, pp.628-630.

Regarding independent claim 63, Ludwig discloses presenting a user interface that allows users of multimedia client workstations in a network “MLAN” to view the multimedia files requested by multimedia clients stored at a server that supports file tagging and search-- *providing rich media files comprising a plurality of different types of rich media, and storing the rich media files in a searchable database as dynamic rich media objects that are defined in accordance with an object data model for rich media presentations, supports a plurality of queries used to search and retrieve stored dynamic rich media objects based on data contents* (col.18, line 64-col.19, line 27, col.30, line 27-col.31, lines 1-6, 40-67, col.32, lines 46-65, fig. 31A-D, 35-40, fig.2B).

Ludwig teaches multimedia windows having the title of the presentation on a title bar located on top --*object identifier field*(fig.2b).

Further, Ludwig teaches presenting annotations in a section of a snapshot window, “Bob: Look at this data!” -- *one or more participant-tracking fields that track participant progress with respect to one or more dynamic rich media object* (fig.2b). In other words, the annotations are done in real-time, and a user can view the progress of the annotations as made by another user in real-time.

In addition, Ludwig teaches presenting a second set of annotations in another section of a snapshot window, “Yes! I see the problem” -- *one or more participant input fields that store participant inputs that are received in response to participant interaction with the corresponding dynamic rich media objects* (fig.2b).

Moreover, Ludwig discloses displaying the names of participating members of a multimedia session—"Tom Griner, and Bob Lake"--. The users also must register the services they provide, and this information is stored in a database in order to properly obtain access to the information stored in the system – *creating a rich media presentation by associating a group of the dynamic rich media objects with an identifier for the presentation and one or more participant access control permission keys* (fig.2b, col.21, lines 23-35).

Moreover, Ludwig discloses providing a screen window having face icons of people to take part of the multimedia session – *providing a participant interface for selectively requesting to view the presentation, and for receiving input from a participant in the group in connection with one or more dynamic rich media objects when presented to the participant as part of the presentation;* (fig.2b, col.21, lines 45-64).

Moreover, Ludwig discloses numbering or tagging video/audio with frame numbers at every  $1/30^{\text{th}}$  interval of a second. In other words, the frames would be numbered  $1/30^{\text{th}}$ --*start-time field*--  $2/30^{\text{th}}$ ,  $3/30^{\text{th}}$  sec. A video presented varies according to the face of the person presented, predetermined video/audio capabilities, and services a user is registered for.-- *in response to a request to view the presentation, assembling a plurality of the dynamic rich media objects in real time on a server so that the dynamic rich media objects are displayed on the basis of the start- time attribute of each dynamic rich media object in order to distribute to a requesting participant a version of the rich media presentation that dynamically varies as a function of the participant and object permission keys and of one or more participant-tracking attributes related to the requesting participant* (col.29, lines 50-67, col.21, lines 10-42).

Further, Ludwig discloses storing service records in a server's service database. The user is able to create, and edit the multimedia presentations (fig.2b, col.21, lines 23-35). Ludwig fails to explicitly teach *storing participant-tracking and participant input attributes in the database when the requesting participant has viewed at least a portion of one or more of the dynamic rich media objects in the presentation*. However, Goodkovsky teaches adapting a multimedia presentation to preferences and styles of an individual learner (col.3, lines 1-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an easy to design, and cost-effective method of tutoring a person.

Furthermore, Ludwig fails to explicitly teach *dynamic rich media objects wherein the predefined object attribute fields are defined to include: an object identifier field for storing an object identifier that identifies a corresponding dynamic rich media object, a start-time field for storing a start time attribute for the corresponding dynamic rich media object, a participant-access control permission key field for storing participant-access control permission keys for the corresponding dynamic rich media object; one or more participant-progress tracking fields*. However, Office teaches a database containing fields that store details about audio music collection (page 628-629). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ludwig, Goodkovsky, and Office, because of all the reasons found in Office, including cataloging a collection of audio music to make it easier to find various audio music selections (pag 626). This would make it easier, and quicker to find the collaboration videos taught by Ludwig.

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Regarding claim 4, which depends on claim 63, Ludwig discloses a client screen displaying full-motion video of the three conference participants, while another screen selected by a participant shows data being annotated—*at least one participant to modify the dynamic objects* (col.6, lines 53-57, col.21, lines 46-64, fig. 2A-2B).

Regarding claim 12, which depends on claim 63, Ludwig discloses the video images are presented in the NTSC-quality tv performance at 30 frames per second (col.6, lines 37-44, 48-57). This implies that each video frame has a start and stop time, since 60 video frames must be displayed in a period of one second. For instance, the first video frame start time would be at 1/60 of the second, and a stop time of 2/60 of the same second.

Regarding claim 13, which depends on claim 63, Ludwig discloses the video images are presented to clients using various types of computers, such as computers in the UNIX, Apple, DOS, Windows, etc., operating systems—*dynamic rich media objects that differ from each other only in their format characteristics* (col.6, lines 16-35).

Regarding claim 14, which depends on claim 13, Ludwig discloses clients' viewers playing back the video images are presented using various types of computers, such as computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*player type and bandwidth* (col.6, lines 16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).



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Regarding claim 15, which depends on claim 63, Ludwig discloses that before the clients can access any video/audio resources, they must register the services they provide, so that a “collaboration initiator can find collaboration participants no matter where they are located-- *rich media objects selected based on participant profiling* (col.21, lines 5-35).

Regarding claim 16, which depends on claim 15, Ludwig discloses that before the clients can access any video/audio resources, they must register the services they provide, such as video call, snapshot sharing, conference, etc., —*permission levels* of services that can be accessed at a specific client-- so that a “collaboration initiator can find collaboration participants no matter where they are located (col.6, lines 16-22).

Regarding claim 17, which depends on claim 15, Ludwig discloses clients’ viewers playing back the video images are presented using various types of computers, such as computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*participant viewer attributes* (col.6, lines 16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).

Regarding claim 18, which depends on claim 17, Ludwig discloses clients’ viewers playing back the video images are presented using various types of computers, such as computers in the UNIX, Apple, DOS, Windows, etc., operating systems, and different bandwidth, such as T1, ISDN, fractional T1, T3, etc.—*player type and bandwidth* (col.6, lines 16-35, and col.10, lines 33-41, col. 32, lines 49-67, fig.4).

Regarding claim 23, which depends on claim 63, Ludwig discloses a mechanism supporting the inter-file search capability to allow a user to search through and navigate stored audio/video or multimedia information or documents, such as frame numbers, and timecodes—*attribute fields of the dynamic rich media objects* (col.31, lines 40-67).

Regarding claim 25, which depends on claim 63, Ludwig discloses an expert answering the boss's questions while holding a visual conference—*the participant input field stores information in a form of a quiz response* (col.38, lines 1-11, fig.40).

Regarding claim 26, which depends on claim 6, Ludwig discloses a client screen displaying full-motion video of the three conference participants, while another screen selected by a participant shows data being annotated—*modify the dynamic objects* (col.6, lines 53-57, col.21, lines 46-64, fig. 2A-2B).

Claims 30-36, 41, 43 are directed towards a system for implementing the steps found in claims 12-18, 23, 25 respectively, and therefore are similarly rejected.

Claims 45, and 49-55, 60, and 62 are directed towards a computer-readable medium for storing the computer-executable steps found in claims 26, and 12-18, 23, and 25 respectively, and therefore are similarly rejected.

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Claim 64 is directed towards a system for implementing the steps found in claim 63, and therefore is similarly rejected.

Claim 65 is directed towards a computer-readable medium for storing the computer-executable steps found in claim 63, and therefore is similarly rejected.

Regarding claim 66, which depends on claim 63, Ludwig discloses storing service records in a server's service database. The user is able to create, and edit the multimedia presentations (fig.2b, col.21, lines 23-35). Ludwig fails to explicitly teach *generating a usage report based on the attributes of the dynamic objects of the rich media presentation*. However, Goodkovsky teaches generating comments about the learner's performance of a test (col. 12, lines 6-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an easy to design, and cost-effective method of tutoring a person.

Regarding claim 67, which depends on claim 63, Ludwig discloses storing service records in a server's service database. The user is able to create, and edit the multimedia presentations (fig.2b, col.21, lines 23-35). Ludwig fails to explicitly teach *the object attribute fields further comprises a quiz success status field*. However, Goodkovsky teaches generating comments about the learner's performance of a test pass or fail (col. 12, lines 6-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to have

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combined Ludwig, and Goodkovsky, because Goodkovsky teaches above an easy to design, and cost-effective method of tutoring a person.

Claims 68-69 are directed towards a system for implementing the steps found in claims 66-67 respectively, and therefore are similarly rejected.

Claims 70-71 are directed towards a computer-readable medium for storing the computer-executable steps found in claims 66-67 respectively, and therefore are similarly rejected.

10. Claims 10, 28, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig, in view of Goodkovsky, further in view of Office as applied to claim 63 above, and further in view of Bowman-Ammuah, hereinafter Bowman (US Pat.# 6,640,238 B1, 10/28/2003, filed on 8/31/1999).

Regarding claim 10, which depends on claim 63, Ludwig discloses the multiplexing or combining of audio and video streams (synchronized with other window graphics) by the storage media in the server, so as to enable the clients in the network to download or playback the video streams stored in the server—*storing object definitions* (col.31, lines 7-19, 27-39, and 48-53, and col.32, lines 46-65). Ludwig fails to explicitly disclose *storing object definitions in XML for a plurality of the dynamic objects*. However, Bowman teaches the use of the XML-based SMIL language for sorting multimedia content into separate elements using tags for

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linking the elements together (col.42, lines 47-60). It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Ludwig, Goodkovsky, and Bowman, because Bowman teaches above elaborate multimedia presentation to be created out of smaller, less bandwidth-consuming components, which would save time and resources associated with the use of more bandwidth.

Claim 28 is directed towards a system for implementing the steps found in claim 10, and therefore is similarly rejected.

Claim 47 is directed towards a computer-readable medium for storing the computer-executable steps found in claim 10, and therefore is similarly rejected.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 4, 10, 12-18, 23, 25-26, 28, 30-36, 41, 43, 45, 47, 49-55, 60, and 62-71 have been considered but are moot in view of the new ground(s) of rejection. The Applicant indicates that prior art does not teach the newly introduced claim amendments (pages 14-15). The Applicant is directed towards the rejection of the claims as indicated above, in light of the newly found prior art.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:

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7/21/06